Supreme Court, U. S.
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IN THE

# Supreme Court of the United States

OCTOBER TERM, 1979

No. 79-1757

ARTIN ARTARIAN, *Petitioner,*

v.

KAREN M. ARTAR, THE GOVERNMENT OF DENMARK, REPRESENTING K.M. ARTAR, LAW FIRM GREENBAUM AND OSHANA, *Respondents.*

ARTIN ARTARIAN, FOR CHILD SYLVA *Petitioner,*

v.

UNITED STATES GOVERNMENT *Respondent.*

## PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT ~~AND PETITON FOR A WRIT OF MANDAMUS~~

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## PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT ~~AND PETITON FOR A WRIT OF MANDAMUS~~

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To the Honorable WARREN E. BURGER, Chief Justice of The United States of America and to the Honorable Associate Justices of the United States Supreme Court:

Comes now Artin Artarian, Petitioner, a naturalized Citizen of United States of America authorized under the Federal Statute 28 U.S.C.A. §1654 to act Pro Se, petition this Honorable Court for a Writ of Certiorari ~~and for a Writ of Mandamus~~ directed to the United States Court of Appeals,

Fourth Circuit at Richmond, Virginia, to review Constitutional errors occuring in the Case against K.M. Artar for perjury, against the Government of Denmark for Perjury and Conspiracy to Cheat the Courts of U.S.A. and Turkey, against the Law Firm Greenbaum and Oshana for Malpractice and Obstruction of Justice and against Agencies, Officials, Employees of U.S. Government, Foreign Service, United States Department of Justice, for Violation of Petitioners Civil Rights, Fundamental Human Rights, Bill of Rights, Privileges and immunities Granted to the Citizens of United States, for protection of life, Liberty and Property at Home and Abroad, Right of Due Process of Law in the Courts of U.S.A. and in foreign Courts under the Provisions of U.S. State and Federal Statutes, Laws Treaties of U.S.A. in force between U.S.A. and foreign Sovereign, and applicable Sections of Foreign Laws Concerning the Governments of Turkey and Denmark.

This Petition invokes the Rules 5 (4), 28, 30, 31 and 37 of this Court and Pursuant to Rule 23, petitioner submits the following:

This Petition, in addition to the consolidated Cases at bar, includes Petitioner's MOTION that prays this Hon. Court, the transfer of new State Court proceedings, initiated by DENMARK, as initial suitor, in the circuit Court for Montgomery County Maryland (EQUITY NO.:64911) filed over same cause and Parties, that reached the COURT OF APPEALS of MARYLAND for Certiorari, under case No. A 61, September Term 1980.

Failure of the Court below and the Trial Court to grant remedy, caused furtherance of the DANISH Conspiracy, that resulted an other Civil Rights action by the Petitioner against the State of Maryland, the Danish Consul in Wash. D.C., the Circuit Court of Montgomery County, Law Firm Stedman Prescott, Respondent Karen M. Artar, Immigration Office Dept. of Justice et al., that was filed in the same Trial Court, for the District of Maryland under Case No. 80-668, pending further proceedings, (March 24, 1980)



Petitioner respecfully prays transfer of the State Court proceedings pursuant to 28 U.S.C. §1441, and MOVES THAT, Cases at bar, State Court actions and third Case, pending Trial, before the same U.S. District Court below, be *all consolidated* by *Order of this Honorable Court.*

The State Courts have no Jurisdiction over the foreign Sovereign Denmark, nor over the Danish Consul in Wash. D.C. and Exclusive Jurisdiction over ambassadors and Consuls lies within Jurisdictional Powers of the U.S. Supreme Court.

Petitioner's all timely *motions for removal were denied by the state courts, and his last residential home was put on auction, by the state court, through a "summary judgment", obtained by fraud.*

Petitioner respectfully submits Child Tina's AFFIDAVIT to this Hon. Court for violations of her Civil Rights and Human Rights BY ABOVE COURTS for 7 Years and petitions the Court the issuance of a Writ of Mandamus, pursuant to 28 U.S.C. §1361, 1651, 2241 and 2242, directed to the Court below, for return of *U.S. Child Sylva, kidnapped from U.S.A. and pursuant to extradition treaty with Denmark, Art. 3(7) via, U.S. Dept. of Justice, Civil Rights Div. and Embassy of U.S.A., Copenhagen, Denmark, prior trials.*

## OPINION BELOW

The United States Court of Appeals, Fourth Circuit rendered decision on Nov. 29, 1979, copy of which is attached to this petition as *Appendix "A"*. Petition for rehearing was made and was denied by order dated Jan. 11, 1980 *Appendix "B"*. Per Supreme Court Rule 28, petitioner filed a motion for certification of question of law to *The Supreme Court of United States,* on Dec. 31, 1979, petitioners motion was denied by order dated Jan. 28, 1980, a copy of the order is herewith attached as *Appendix "C"*.

The grounds upon which the jurisdiction of this honorable court is invoked are:

(i) The date that the decision which is sought to be reviewed was entered is Nov. 29, 1979;

(ii) A petition for rehearing was made and denied on Jan. 11, 1980, by the United States Court of Appeals, Fourth Circuit.

(iii) Order denying petitioner's motion for "Certification of Question of Law" to the U.S. Supreme Court was entered on Jan. 28, 1980.

## JURISDICTION

The statutory provisions conferring jurisdiction of this Honorable Court are:

42 U.S.C. §1981 and 1983; 28 U.S.C. §1738

28 U.S.C. §1651, 2241, 2242 and 2403

28 U.S.C. §1330, 1331,1332, 1604, 1605, 1607

18 U.S.C. §371;8 U.S.C. §1503

28 U.S.C. Rule 4 i, Rule 17, Rule 44

The other grounds upon which jurisdiction of this court is invoked, involve violations of constitutional amendments and articles namely, the First, Fifth, Ninth, Fourteenth Amendments; Article III, Sect. 2, Article IV, Cl. 1, full faith and credit; Article VI, Cl.2—treaties—Supreme Law of Land.

## REAL PARTIES IN INTEREST
## FRCP Rule 17

Proper construction of the entire complaint grouped under 3 major phases can be summarized as conducts, that were engaged in:

A, Under Color of State Law of:

1. The State of Mass.
   a) The Probate Court in Cambridge, Mass.
   b) The law firm Greenbaum And Oshana



2. The State of Maryland
   a) The Circuit Court of Montgomery County, Maryland
   b) The Court of Special Appeals, Annapolis, Md.
   c) Law firm Stedman, Prescott, Et Al., Kensington, Md.
3. The State of Ohio
   a) State Savings And Loan, Euclid, Ohio
   b) Joseph Laronge, S. Euclid, Ohio

B. Under Color of Federal, Constitutional Laws, Treaties.

1. The Government of Denmark
   Danish Dept. of Justice, Ministry of Foreign Affairs, Danish Consulates in Boston, Mass., New York, Wash. D.C., Istanbul, Turkey, Danish Civil and Criminal Lower and High Courts, 7 Danish Court appointed lawyers etc. (E 162)
2. The Government of the United States
   a) U.S. Ambassador in Denmark Hon. John Gunther Dean,
   b) U.S. consuls in Copenhagen, Denmark, Patricia R. Clark, Dale W. Dover, Bruce A. Beardsley, etc.
   c) Attorney Gen. Griffin B. Bell
   d) Assist. Attorney Gen. Civil Rights Div. U.S. Dept. of Justice Drew S. Days III

As agents of the U.S. Government, authorized to act under the powers of the United States.

## MOTION

### Summary Of Petition
### For Removal And Consolidation

Pursuant to Rule 35 petitioner states object and facts of his motion as follows:

1. In petitioner's suit filed in the State Court Cambridge, Mass. *(Libel 102544/1974)* for judicial relief, equity, child custody; failure of said Court to enforce Art. 3(7)(12) of the Extradition Treaty in force on July 31, 1974 and to enforce order for return of kidnapped U.S. child Sylva, after court's order issued on *Aug. 15, 1974,* Exhibit "C", and other judicial relief prayed, for protection of life, liberty and property; initiated petitioner's consolidated cases at bar.

2. Where petitioner's cases filed in the U.S. District Court, Case No's.: B 78-298 (Feb. 1978) B 78-1790 the trial court also failed to grant judicial relief and the court below did the same;

3. Denmark, by its powers and through foreign service, the Danish Consul in Washington, D.C. in October 1978, initiated a new suit against the petitioner, in the Circuit Court for Montgomery County, Maryland *(Equity:64911)* for sale of petitioner's last remaining residential property; wherein he resides with his minor child Tina; on grounds of a foreign Danish judgment, obtained by fraud, conspiracy to defraud the courts of U.S.A. and Turkey, in violation of international laws and treaties enumerated in this petition. The Danish judgment carried the custody of U.S. child, kidnapped from the State of Maryland, that was kept in Denmark by force, for 5 years and despite the fact that, in 1977 Denmark, attacked, convicted, imprisoned and deported the petitioner for 5 years permanently cutting off, all father child relations.



The subject case added more suppression, fraud and conspiracy to the previous ones, resulting a fraudulent *"summary judgment,"* R (47), attached to this petition as *Appendix "D",* that was obtained by attorney malpractice, in a manner described as "fraud, mistake or irregularities" per Maryland Rule 625, and put petitioner's last home for sale by *auction.* Appeal to the Court of Special Appeals of Maryland, was repeat of same type of mockery of justice, further appeal of which is pending before the Maryland Court of Appeals, *Case No.:61,* Sept. Term 1980, filed by petitioner on March 7, 1980.

4. Finally on March 24, 1980, petitioner filed an other suit against the State of Maryland, the Circuit Court of Montgomery County, respondent Danish subject, law firm Stedman Prescott, Danish Consul Wash. D.C. and Immigration and Naturalization Service, Dept. of Justice for repeated violation of civil rights, human rights, racial discrimination, obstruction of justice, etc., that was filed under *Case No. 80-1980,* in the same U.S. district court, as *addition* to cases pending in this court for review.

**Results:**

Under penalty of law and perjury petitioner swears to the best of his knowledge and belief that, for the past 7 years, in chain of lawsuits filed in 3 state and 3 federal courts, over same cause, parties and joinder of series of third parties, not a single, fair, public, impartial trial took place, the courts of the United States, faced with embarrasing conditions, in view of 600 pieces of evidence against civil and physical, domestic and Danish crimes, set off allegations, proofs, affidavits, voided witness appearance, denied letters of rogatories, supressed foreign and domestic material, directing petitioner's and childrens total destruction, by local, state and federal power, turning petitioner into a typical hostage in U.S.A. by

order of Denmark, while child Sylva was held hostage in Denmark, by orders of U.S. Foreign Service, in violation of any human made law, U.S. Constitution and treaties:

The entire ordeal caused petitioner and child Tina:

1. Loss of child and sister Sylva
2. Denial of child Tina's U.S. citizenship
3. Damage and loss of a new home in the State of Mass. E 150
4. Loss and sale of petitioner's last home in the State of Maryland, by auction. R (47)
5. Criminal conviction, imprisonment, deportation of petitioner by Denmark for imaginery crimes. E 504, 533, 535

Note: Petitioner's complaint filed in the trial court (B78-298) included past crimes of deprivation of property rights, in the State of Ohio, that despite unrelated, is submitted to the Court, as a package, with cases at bar

A. Petitioner respectfully moves that, the State Courts in Maryland due to controversies, laws, treaties of U.S.A., lack jurisdiction over civil rights case pursuant to 28 U.S.C.A. §1441, lack jurisdiction over Denmark, Danish consuls pursuant to U.S.C.A. Const. Art. III, Sect. 2, that case pending before the Court of Appeals of Maryland should be removed to this court, by order of this court, (*App. No. 61, Sept. 80).*

B. Petitioner further prays and moves that, last case filed by him, the third in a row, in the trial court against the State of Maryland et al. *Case No. 80-668* should be consolidated and series of judicial actions named in this motion, should be tried by a federal grand jury for disposition, by order of this hon. court as a single action, for prevention of conflicting judgments.

*Johnston* v. *Compagnie Generale Transatlantique Appt.* 46 A.L.R. 435, Annotation 439, V) effect of U.S. Supreme



Court judgments in state courts, 455 and for reasons of unfairness to individuals by failure to observe,

Requirements of Due Process of Law: *Application of Gault, 87 S.Ct. 1428, 1439, 1440*

Respectfully submitted

/s/ARTIN ARTARIAN
ARTIN ARTARIAN, PETITIONER

## JURISDICTION FOR REMOVAL

28 U.S.C. §1441

## CONSTITUTIONAL ISSUES PRESENTED

1. Whether the District Court and the Court below erred in its judgment dated Nov. 29, 79 not assuming jurisdiction over petitioner's Civil Rights actions against named defendants against 42 U.S.C. §1981 and 1983, where petitioner asserted his Constitutional Rights to preserve access to his child as a father and access to judicial relief; by denying the well established rule of substantive familial rights "*the basic civil rights of man*" *Skinner* v. *Oklahoma,* 316 U.S. 535,541 (1942). The integrity of the family unit has found protection in the Due Process Clause of the Fourteenth Amendment, *Meyer* v. *Nebraska supra,* 262 U.S. 390 at 399, the Equal Protection Clause of the Fourteenth Amendment *Skinner* v. *Oklahoma* supra at 541 and the Ninth Amendment, *Griswold* v. *Connecticut* 381 U.S. 479, 496(1965) (Goldberg J. concurring) *Stanley* v. *Illinois supra* 405 U.S. at 651.

2. Whether the Court below erred in its judgment dated Nov. 29, 1979 and the District Court further below erred in its judgment dated Feb. 22, 1979 (B78-1790, pg.7) Part II, R(10&11), stating that; the domestic relations are "virtually exclusive province of the states." The courts contention is unavailing that, exclusive jurisdiction of petitioner's action lies in state courts and/or state remedies has to be exhausted. It is well settled rule that, petitioner asserted his federal rights secured by both the Federal Constitution and Federal Statutes and he is not relegated to, the state court system to vindicate any of those claimed federal rights. *Morrison* v. *Jones* 6 FLR 2022 (CA 9.10/19/79) (U.S. Court of Appeals for the Ninth Circuit)

3. Whether the Court below and the Trial Court erred in their judgments (B78-1790) by not conferring jurisdiction over the defendant foreign Danish subject, a former Alien, and resident of Maryland under 28 U.S.C. §1331 and 1332,



where petitioner's bill of complaint prayed the court equitable relief in property, situated in Maryland, exceeding the jurisdictional limit $10,000 (Ten thousand dollars); *Hernstadt* v. *Hernstadt* 373 F.2d 316, 317.

4. Whether the Court in Cleveland, Ohio in 1969, the State Probate Court Cambridge, Mass. in Case No. 102544; 1974, the trial court in Baltimore, Md. Case No.s B78-298 and B78-1790, the court below and the Circuit Court of Montgomery County, Maryland in "equity" No. 64911, did not have jurisdiction over cause and petitioner's complaint stated no claim against the foreign Danish subject, the Government of Denmark, the Mass. law firm and the Government of United States upon which relief could be granted. As a general rule and if complaint construed liberally and as decided in *Marshall* v. *Sawyer,* 301 F.2d 639 (9th Cir. 1962) the "only elements which need to be present in order to establish a claim for damages under the Civil Rights Act are the conduct complained of was engaged in under "color of state law" and that such conduct subjected the petitioner to the deprevation of the rights, privileges and immunities secured by the Constitution of the United States." Id at 646.

In the instant case petitioner's complaint involved, conducts engaged under color of state, federal and international laws, violating treaties.

5. Whether the Court below and the Trial Court judicially bent and tortured the settled principles for the protection of civil liberties, for the purpose of accomplishing relaxation of federal responsibility, by depriving petitioner's life, liberty and property without due process of law, clothing the judicial and physical crimes committed against the petitioner and other U.S. citizens at home and abroad, by a so-called friendly nation, Denmark, with sovereign immunity, acting "under color of foreign law," within jurisdiction of United States and through powers authorized directly by Denmark, exceeding rights granted by multilateral Vienna Convention. The question is whether crimes committed by foreign

Denmark is against the petitioner alone but not against the nation, where foreign Denmark filed fraudulent counterclaims in the courts of United States, the foreign judiciary, foreign agencies, foreign High Courts denied the judicial proceedings of the U.S. courts, ignored U.S. court judgments, avoided the U.S. courts proceedings, furnished false certified judicial documents, attacking the Constitution of the United States, violating the rules and the spirit of the multilateral Vienna Consular Convention, Service Convention, Human Rights Convention, the Convention on the Private International Law, in violation of Const. Art. IV, Cl. 1, full faith and credit, 28 U.S.C. §1738, U.S.C. Const. Art. VI, Cl. 2 supreme law of land, Statutes of Fraud and the Federal Criminal Code 18 U.S.C. §371.

6. Whether the Court below and the Trial Court faced with the embarassing situation, should deny the petitioner a fair, impartial and public trial, setting aside the federal statute 28 U.S.C. §1654, setting aside Amendment 1, Amendment 5, Amendment 9 and Amendment 14 of the Federal Constitution, disregard Amendment 13 and virtually with political motivation, reinstate a condition equivalent to slavery, encouraging furtherance of Foreign Government Conspiracy in the United States; 28 U.S.C. §1343? Specially when such foreign crimes, in the past have been recognized by Honorable Howard Baker, a member of the legislative body of the U.S. Government, and publicly condemned.

7. Whether the court below and the trial court erred in their judgments, by granting Sovereign immunity to various authorized Agents of the U.S. Government, that owe prime allegiance to the power generated by the Constitution and the Amendments, to the former Attorney General of the United States Mr. Griffin Bell, to Mr. Drew S. Day III, Assistant Attorney General, Civil Rights Division of the United States Department of Justice, to Mr. Bruce A. Beardsley, U.S. Consul in the American Embassy in Copenhagen, Denmark, that in the past 6 years, repeatedly, willfully and purposefully, supressed, discriminated, deprived petitioner's rights of life,



liberty and property and witnessed petitioner's false arrest, prosecution, conviction by the foreign sovereign Denmark, for crimes originating in the United States and comitted by the foreign Danish subject in U.S.A. and Turkey. Petitioner became herewith victim of double jeopardy. Not all of above agents of the United States government are entitled to Sovereign Immunity. Such general rule has been established in the case of *Larson* v. *Domestic & Foreign Corp.*, 69 S.Ct. 1457, "in a suit against an agent of the United States, plaintiff must claim an invasion of his legal rights, either past or present, to take case out of sovereign immunity, plaintiff, in addition must allege facts establishing that the agent of the United States, in comitting the wrong, was not exercising powers delegated to him by the United States." The American Consul in Copenhagen, Denmark, under Vienna Convention is an agent of the United States, delegated powers to him by the United States, to protect life, liberty and property of the citizens of the United States, pursuant to Art. 5 of the Vienna Convention, and under provisions of the international agreements in force. The Attorney General of the United States and the Assistant Attorney General, Civil Rights Division Mr. Drew S. Days III, have the judicial power delegated to them, by the Judicial Branch of the United States to enforce, common laws, state, federal and international laws, Civil Rights laws to restore peace and justice in the United States at state, federal and international level.

8. Whether the Court below and the Trial Court erred in their judgments, by not considering petitioner's class action, that intended to make the overseas kidnapping of American children a federal crime. Whether the inartful drafted complaint by the petitioner should not have been construed liberally, to protect the minor children against crimes, the familial rights, "the basic Civil Rights of man and the society." Like the Convention On The Private International Law, authorized pursuant to 22 U.S.C. §269g, an authorized delegation of the United States, in October 1980, shall appear in the International Court of Justice, The Hague, Holland, to

sign the international treaty, providing governmental intervention and action for the return of abducted children at once and not by judicial process! Mr. James Hergen, the attorney in the Department of Justice, Office of Foreign Litigation and Professor Bodenheimer are authorized delegates to represent the United States.

What the court below and the Trial Court denied the petitioner, shall be a federal law, part of the Constitution, Supreme Law of Land, a treaty!

Article 3,(7) of the Extradition Treaty in force between the U.S. and Denmark alone was enough to return petitioner's abducted child Sylva Arsho Artar, home to U.S., when the state court in Cambridge, Mass. on Aug. 15, 1974, granted the child's custody to the petitioner! . . . *Galanis* v. *Pallanck,* 568 F.2d 234,238.

The basic question however remains the same. In the past 6 years, 3 state and 3 federal courts denied the petitioner the Due Process of Law, depriving him of life, liberty and 3 properties, his civil rights, basic rights of man, giving way to Danish Governmental Conspiracy to cheat, fraud, obstruction of justice, cruelty and direct judicial, physical crimes and torture, comitted against the petitioner and his children. The Danish High Courts, besides lacking jurisdiction over the case and parties, denied petitioner visitation rights, put him in prison, deported him from Denmark permanently to cut off all father child relations, relation between two natural sisters, by use of brutal socialist power, while politically motivated United States, set aside the federal statutes, the international law and treaties, supressed the petitioner! where stands the constitutional rights of the United States citizens, between the political games of power play, when treaties ratified by governments are broken by governments? . . .or treaties signed by the governments are used to please other governments not for restoration of justice, but promotion of business, in apparent violation of the U.S. Constitution, that is the backbone of the free U.S.A., where the Fundamental Rights,



Bill of Rights are basic Civil Rights of men, and treaties signed, the Supreme Law of land.

*United States* v. *Pink,* 315 U.S. 203 (62 S.Ct.552) Treaties—553,554,555

Parental childkidnapping overseas is an international crime that cause threat of injury "real and immediate" but not "conjectural" or "hypothetical" per U.S.C.A Const. Art. 3, §1, what petitioner's class action intended to achieve and a fact that the Convention of Private Int. Law Art. 1 failed to dictate.

9. Whether the Trial Court erred in its judgment referring to a case of sister state *Sosna* v. *Iowa,* 95 S.Ct. 533, where state's one year durational residency requirement did not violate Due Process Clause of the Fourteenth Amendment, in direct controversy with the Danish Private Int. Law Art. 448c, Sec. 1, Subsect. (2), although based on principle of domicile, impose no durational limit for residency, where *two* days domicile permits filing of a divorce suit, despite Danish multiple jurisdictional system applied for different territories, in apparent violation of Art. 14 (2) and Art. 2 (4)(5) of the Convention On Private Int. law 22 U.S.C. §269g, ratified by Denmark, U.S.A. and Turkey. Danish violations of international laws is a fact that no other nation or U.S.A. meant to impose.

Entering judicial decrees despite lack of jurisdiction is an other Socialist Danish rule (original Danish Case Law Exhibit 262) that outlaws foreign judicial system at once.

False intentions of the danish "International Private Law" original Danish divorce laws and court procedures, proceedings arranged by phone calls, Royal Danish divorce decrees, appeal time and procedures have been submitted to this court, in agreement with Rules 37 and 38 of this court, in original Danish and certified, notarized translations. In the past such Danish decrees had misled the U.S. Courts, *Hansen* v. *Hansen,* 8 N.Y.S 2d 655 (Royal Danish decrees are no court judgments, but administrative documents). E 701

## STATEMENT OF FACTS IN SUPPORT OF GRANT OF CERTIORARI

### Danish Government Violations Of The International Treaties

1. Extradition Treaty between U.S.A.-Denmark in force since July 31, 1974, ordered by U.S. President R. Nixon, signed by Henry A. Kissinger, Secretary of State, 25 U.S.T. 1293, TIAS 7864

   a) Art. 3,(7) . . .kidnapping, child stealing, abduction, false imprisonment. . .

   b) Art. 3,(12) . . .obtaining property, money or valuable securities: by false pretenses or by threat of force by *defrauding any governmental body,* the public or any person by *deceit* falsehood, use of the mails or other means of communication in connection with schemes to deceive or defraud or by any other fraudulent means. . .

A. On Aug. 10, 1973 respondent Danish subject, following 4 years domicile in the State of Maryland, *abducted* petitioner's two children, fled to Denmark.

The Danish Ministry of Justice refused to return petitioner's minor children in violation of Art. 3 (7).

On Nov. 8, 1973, the U.S. Vice Consul in Copenhagen, Denmark, at her office refused to enforce the Treaty for the petitioner, rejecting his aid to him, the Vice Consul Patricia R. Clark, acting under powers of the United States, violated the Extradition Treaty, violated petitioner's and children's civil rights, directing them to their total destruction, that is still going on for 7 years.

B. On Nov. 3, 1977, following 8 previous and desperate attempts by the petitioner to see his kidnapped U.S. child Sylva, a born citizen of U.S.A. and without a single success, petitioner was attacked by Danish police in the child's school, he was handcuffed without *Miranda* warning, brought to



Danish City of Aarhus, criminal policy headquarters, he was directed to the isolated Danish jail immediately, all his belongings, passports, legal materials, court orders, were removed from his posession without:

1) Permission to call a local lawyer
2) Permission to call the U.S. Embassy

He was thrown in a private cell. . .

In a letter dated Nov. 11, 1977 the visiting U.S. Consul Bruce A. Beardsley *confirmed* (E 504) the above facts, but still rejected aid to the petitioner, violating the powers given to him under color of the U.S. government to enforce the Extradition Treaty, and Art. 5 of the *Consular Convention.* Petitioner was kept 18 days in Danish jail, and following a kangaroo trial and appearance of respondent Danish subject and her neighbors as witnesses. . .petitioner was deported from Denmark for a duration of 5 years, permanently cutting-off all father child relations.

C. Denmark is a country with known Human Rights violations. Denmark tortures prisoners—E 245-Amnesty International report, by Washington Post.

a) Denmark and Danish police beat, separated fathers on the open street, permitting lovers to live with separated wives, in the family home. . .—Foreign Report

2. *Denmark violated the European Human Rights Treaty,* E 507-1953, with Protocol No. 1 & 4 dated May 1954, May 1968.

"Convention for the Protection of Human Rights and Fundamental Freedoms"

Art. 6-(1) In the determination of his Civil Rights and obligations or of any criminal charge against him, everyone is entitled to a fair and *public hearing,* within a reasonable time by an *impartial and independent tribunal* established by law.

a) Denmark arrested the petitioner with no Minimum

Rights, confined him to jail and in a false criminal court set up with closed doors, calling the opponent and friends as witness, declared the petitioner, the innocent victim of brutal crimes, as the criminal, submitted such a criminal sentence "under seal of The Danish Ministry of Foreign Affairs and The Danish Dept. of Justice" to the Government of the United States. . .

(1) Denmark violated Article 6 of the Human Rights Convention.

(2) The above criminal sentence was mailed to the petitioner via Danish criminal police, by the Danish Criminal High Court, by fourth class mail, six (6) months late, in Danish. *Preventing appeal.* A method repeatedly used over six (6) long years. . .E 429, E 533

(3) Denmark violated Article 3,(12) of the Extradition Treaty, by using . . ."mails or other means of communication in connection with schemes to *deceive* or defraud or by any other fraudulent means. . .

b) Denmark violated the Art. 7 of the Human Rights Convention:

"No one shall be held guilty of any criminal offense on account of any act or omission which did not constitute a criminal offense. . .

(1) The Danish subject kidnapped petitioner's children from the State of Maryland, out of the U.S. but petitioner was put in Danish jail instead, as if he had committted such crimes. . .
(2) Denmark defrauded Iran under same false judicial process, E49
(3) Denmark defrauded France under same false judicial process—despite lack of Danish court jurisdiction—as admitted in the Danish original court judgment—Danish case law, E 262



c) Finally *Denmark defrauded the European Commission of Human Rights,* the Council of Europe, E 182,200.

In petitioner's civil action against Denmark for violation of his Human Rights, pursuant to Art. 6,7,8 and 14 of the said Human Rights Convention under Case No. 7637/76, the Commission sitting in private on May 8, 1978, Mr. H.C. Kruger, the Secretary General of the Commission, with participation of 14 judges, under provisions of Art. 26 and 27(3) of the Convention, decided that, (E 523)

*"Petitioners application was not admissible"*

Since the petitioner did not appeal the Danish lower court decision of child custody, dated September 27, 1977. Denmark served such a Summons, 4 years late, via aid of the Service Convention, E 291, and via U.S. Marshal, on March 16, 1977 . . .however the judgment of the above court was *never* served. . . .

In violation of the Service Convention (see Service Convention).

An application for Appeal from the said judgment by petitioner on June 1978, was denied by the Danish Civil High Court, since petitioner's letter of appeal was written, in English but not *in the Danish language*—(E 420)

d) *Denmark violated the Art. 14 of the Human Rights Convention: (E507)*

"The enjoyment of the rights and freedoms set forth in this Convention be secured without discrimination on any grounds such as , *sex, race, color, language, religion.* . .etc."

*Petitioner's Danish criminal sentence, E 429, Pg. 8*

Statement made by Danish police noted as follows:

"As we did not see any person near the school *Who looked like a Turk. . .we drove . . .*

The Government of Denmark knows well that, petitioner is a proud person with ethnic "*Armenian*" descent that;

1) Armenia is the first Christian nation in the world (Year 301 A.D.)
2) Armenian people are the first victims of massacre, the World War I, Genocide!. . .

Denmark racially discriminated against the petitioner!

3. *Danish Government violation of the Service Convention:*

On Feb. 19, 1974, 6 months after the Danish subjects desertion from the U.S.A. and child kidnapping, but following lawsuit filed in Instanbul, Turkey on Jan. 16, 1974 over same cause and parties, Denmark filed a lawsuit against petitioner for child custody and a legal separation E.86

1. The Danish summons was set up by telephone, the trial date was changed back and forth 4 times, no service of process took place.
2. On May 20, 1974, the Danish Consul in Istanbul, Turkey, attempted personal service upon the petitioner. E 15, Denmark violated Art. 10 of the Service Convention—the Government of Turkey is opposed to the methods shown on Art. 10 of the Convention, 28 U.S.C.A. Rule 4i.
3. The Danish Consul in Boston, Mass. E 29 on Jan. 15, 1975, once more tried to serve Danish summons upon petitioner on direct order of the Danish judge. . .
4. Finally, when child kidnapping was secured



and after 4 years, the Government of Denmark obeyed the rules of the Service Convention and served Summons, in proper forms, E 291, and via U.S. Marshal. The judgment of said court was not served and the petitioner's Appeal was rejected by the Danish High Court since his application was *not in Danish* but in English:

*Denmark violated Article 7 of the Service Convention that states as follows:*

*Art.7*
"The standard terms in the model annexed to the present convention shall be in all cases, either *in French or in English*

The Danish High Court (E 420) violated the Art. 7 of the Service Convention, by denying petitioner's rights to appeal, *since it was written in English.* It is a well established conventional rule that, the Foreign Government can not reject the U.S. Litigant's letter of appeal if it is in the English language, see:

a. *Shoei Kako* v. *Superior Court of San Francisco,* 109 Cal. Rptr. 402, 412, (33 Cal. App. 3d 807)
b. *Julen* v. *Larson,* (1972) 25 Cal. App. 3d 325, 101 Cal. Rptr. 796

Each and every Danish summons, judgments were written in Danish,—the language in the Danish Consulate in Boston was English(!)-E 29-E 178-Denmark prior March 16, 1977 *never acquired* jurisdiction over the petitioner, since all Danish materials were in Danish; that were served by Danish Consul in Boston, E 29, See

c. *People* v. *Harlow,* (1935) 9 Cal. App.2d 643, 645

4. *The Government of Denmark violated "The Hague" treaty of Private Int. Law, recognition of divorces and legal separations, ratified on June 1970—*

22 U.S.C.A. §262g:

a. The Danish Private International Law is in violation of Article 14 (2) and Art. 2 (4) of the above Convention.

b. The Danish Private Int. law is in violation of the U.S. Constitution Art. IV. Cl I, 28 U.S.C.A. §1738, *full faith and credits,* States *one year* durational divorce residency requirements.

*Sosna* v. *Iowa,* 419 U.S. 393, 95 S.Ct. 553

c. One year durational divorce residency is mandatory pursuant to Annotated Code of the State of Maryland, Art. 16, Sect. 30.

d. The Danish Private Int. Law Art. 448c is in violation of *all above,* that require zero (0) time, for durational residency, like Mexican, Dominican divorces—Danish citizens only —Danish Private Int. Law Art. 448c, Sect. 1 (2) states as follows: (replaces 448 d)

"A lawsuit for separation or divorce is filed in Denmark, if defendant is living in Denmark, if Plaintiff is living here, or has lived here in the past *two years, or he has lived here before. . .*" Result: A Danish born subject, following child kidnapping can file a lawsuit in Denmark at once. See E 49, E 262, E178, E 702, etc.

e. Art. 2 (4) of the above Convention dictates two years residency requirements.

A. Denmark signed the Nordic Convention with the Scandinavian countries, to protect the Nordic race, E 420 a—



B. *In the past two (2) decades Denmark* defrauded several foreign countries, violated all int. treaties, kidnapped several thousand foreign children by brutal force, through central socialist system, torturing individual parents, giving way to several crimes. . .

5. *Denmark violated the rules of the Vienna* Consular Convention, by filing false counter claims in the Probate Court of Cambridge, Mass., by filing a lawsuit under false address in behalf of the Danish subject, in the Circuit Court of Montgomery County, Maryland. Denmark by production of false, Danish High Court material defrauded the said court and the Court of Special Appeals in Md.

a) On Nov. 19, 1976 in a letter, the Danish Consul General in New York, stated:

(1) *"We are going to sue you"*

(2) We, is identical with the Government of Denmark.

(3) On April 23, 1976 the Danish Consul in Boston via a U.S. attorney, filed false counter claims in the Probate Court of Cambridge, Mass. denying the U.S. courts jurisdiction, and lied about the Danish Civil High Court child custody judgments.

*Immunity waived by implication:*

b) Pursuant to 28 U.S.C.A. §1607 Denmark waived immunity. The Trial Court below refused to issue summons upon the Government of Denmark.

c) The Danish false counterclaims defrauded the Trail Court below twice: in Case No.: B78-298, Memorandum and Order, dated July 18, 79, pg. 1. In Case No.: B78-1790, Memorandum

and Order dated Feb. 22, 79, the trial judge erred twice, since he read the false Danish counterclaims.

Defrauding of the U.S. Courts is per Art. 3, (12) of the Extradition Treaty, and per Title 18 U.S.C.A. §371 a criminal offense.

A. *Civil Rights action, under color of the state laws of Mass.* Case: 102544/1974

1. On July 29, 1974 petitioner, then domiciled in the above state filed a lawsuit for libel against the respondent Danish subject, for divorce and child custody as relief.

2. The courts in Mass. had jurisdiction over cause and both parties, due to contract signed by former wife with local agent, and acquired property as tenant by the entireties, for purpose of bona fide domicile. Respondent broke her promise never lived in above home, fled to Denmark from Maryland, with minor children, putting false signature on a check valued $1400.00, received half share from the sale of the Mass. home, sold under duress, with $5,000.00 loss, fled to Denmark to obtain a favorable divorce. The above contractual transaction gave the Mass. courts *jurisdiction to proceed:*

*Andre Van Wagenberg* v. *Wagenberg,* 241 MD. 154, 215 A2d812

3. Respondent law firm Greenbaum et al. initiated the legal action, pretended to be expert in int. law, signed a contract with petitioner, contracted to provide the return of petitioner's child, via U.S. Governmental channels, following process, but the said law firm in 2 years did nothing but cheated, defrauded, the petitioner and charged fees for doing nothing, but foot-



draging, giving way to Danish judiciary, causing heavy damage and injury to petitioner and his children. Respondent law firm was in personal touch with the Danish judge, foreign lawyers, with the State of Maryland and derived substantial revenue from above actions. The Trial Court denied to confer jurisdiction over the said law firm. Pursuant to 28 U.S.C.A. §1441 (a)(b)(c), and due to petitioners Civil Rights action and for prayer for equitable relief, exceeding the jurisdictional amount, 28 U.S.C.A. §1331, 1332, the Trial Court had jurisdiction over parties subject to petitioners complaint. . .

4. Petitioner fired the law firm Greenbaum et al. but the firm continued to act, without petitioner's knowledge and approval at the expense of 3 years lost time. . .

5. Activities in the Mass. court took place under color of the state law, with the use of the Mass. Court, by the law firm Greenbaum et al.

B. *Activities engaged in under color of the state laws of the Maryland State:Civil Rights Violations:Denmark the Initial Suitor*—Equity No:64911

1. On Oct. 1978, by the apparent move of the Danish Consul in Wash., D.C. in behalf of the Danish respondent, Denmark via a local law firm, Staley, Prescott, et al. filed in the Circuit Court for Montgomery County, Md. a case of "equity", Case No.:64911, for sale of petitioner's last residential home where he resides with minor child, Tina.

2. Failure by the Federal Trial Court to settle all matters through petitioner's Civil Rights actions of B78-298;B78-1790 subject to this court's review, gave way to more Danish actions and more injury.

3. Pursuant to Supreme Court Rule 28, petitioner in Jan. 1980, filed in the lower court a prayer *"for certification of question of law."* the lower court denied petitioner's Motion by Order filed on Jan. 28, 1980 *Appendix "C".*

Petitioner's brief has shown that, the entire case is against the government of Denmark, directly for violation of 5 international Treaties, and against instrumentalities of the Danish Government, for violation of the U.S. Constitution, exceeding powers granted by Vienna Consular Convention. The federal courts have jurisdiction over Denmark in rem and/or in personam under 28 U.S.C.A. §1330, the Sovereign Immunity Act of 1976, 28 U.S.C.A. §1604, 1605, 1607, etc.

Recent cases indicated such lawsuits filed by U.S. private litigants against the foreign Government of Chile *Letelier bombing and Moffitt survivors*-where Hon. U.S. Fed. Judge Joyce Hens Green held as follows:

> "A foreign government is not immune from lawsuit that allege responsibility for negligence or for intentionally wrongful acts by those governments in the United States. . ."

Similar legal actions has been allowed against the Government of Iran by the families of victims, taken hostage in U.S. Embassy in Iran. . .

Petitioner and his children were made hostage to Denmark, by apparent consent of the respondent, the U.S. Government, that had the official duty to return the kidnapped child Sylva to the U.S. in agreement with the Extradition Treaty, at once and in 1974. . .



4. In the past 6 years Denmark denied the Mass. Court's jurisdiction, (Ex Parte)-filed fraudlent counterclaims above-, the Federal Court denied jurisdiction over all defendants, Denmark denied jurisdiction of the Turkish courts (Ex Parte), denied Turkish service of process, denied the International Treaties, proceeded a Danish lawsuit over same cause, despite of lack of Danish International Jurisdiction, (Ex Parte)-Denmark avoided the Acts of the U.S. and Turkish courts, avoided records and judicial proceedings of U.S. and Turkish courts, entering judgements in favor of the Danish subject, with sole purpose of keeping the kidnapped U.S. child Sylva by force in Denmark, then after 6 years terror, civil and criminal proceedings, Denmark returned to U.S. courts, opened the doors of the courts, using the courts as instrumentality and the U.S. Constitution as a shield, to benefit the foreign Danish subject, the Danish Tax Department forcing the petitioner out from his last home, still hiding behind "Sovereign Immunity."

*Ex Parte Divorces are Unconstitutional:*

a *Epstein* v. *Epstein, 193 Md. 164, at 170*

b *Sherrer* v. *Sherrer* 334 U.S. 343,349, 68 S.Ct. 1087, 1097

5. *In the Circuit Court for Montg. Cty. Md.*

a On Oct. 27, 1978, under *false* address of domicile respondent Danish subject (the Danish Consulate) filed a sworn Bill of Complaint for equity. R(1)

b Appearing as witness in Danish Criminal Court against the petitioner, respondent disclosed here *true* address of domicile. E 429

c On petitioner's prayer, the Circuit Court issued a subpoena for respondent's appearance. She failed to appear in court, the postal receipt was smudged, certificate of service was signed by a third person, other than, the respondent. R(17),(19)

d Respondent/plaintiff *defrauded* the Circuit Court. She was in *contempt* of court.

e On petitioner's prayer, the Circuit Court issued subpoenas, as to the:

(1) The Danish Consul in Washington, D.C., R(15)

(2) The Turkish Consul in Washington, D.C., R(15)

Petitioner served both subpoenas by cert. mail R (16,18)

f The Turkish Embassy, claimed Sovereign Immunity via U.S. State Dept. R (28). Art. 44 of the Consular Conv. permits appearance of Consuls as witness.

(1) The Government of Turkey not party to suit is not entitled to sovereign immunity.

*The SAO Vicente* v. *Murmagao,* 260 U.S. 151, 43 S.Ct. 15

(2) Pursuant to Art. 3 of the Consular Convention Diplomatic Missions are entitled to perform consular functions.

*Vulcan Iron Works* v. *Polish American Machinery,* 472 F.Suppl. 77,79

g The Danish consul did not respond to the subpoena

h The petitioner filed cross claims and counterclaims in the Circuit Court—impleading



the Danish Consuls in Boston, New York and Wash., D.C. R(10,12)

The Circuit Court denied petitioner's Affirmative action. R(29)

*The Circuit Court violated the U.S. Constitution:*

(1) Denmark is the Initial Suitor, cross and counter claims can not be denied:

*Et Ve Balik Kurumu* v. *B.N.S. Int. Sales Corp.,* 204 N.Y.S. 2d 971,980,981

*Dexter & Carpenter* v. *Kunglig Jarnvagsstyrelsen,* 43 F.2d 705,706 (Swedish government)

(2) The government of Denmark waived immunity being as Initial Suitor,

a. By not alleging Sovereign Immunity directly or

b. By the silence of the U.S. State Department.

*Victory Transport Inc.* v. *Commissaria Gen.,* 336 F.2d 354,357,360

i. The Circuit Court of Montgomery County lacked jurisdiction over case and parties:

(1) Exclusive jurisdiction over Ambassadors and Consuls lies in the Supreme Court of U.S.A., U.S.C. Art. III, Sect. 2

j. *Removal,* Effect of U.S. Supreme Court decisions in state courts: *Johnston* v. *Compagnie Gen. Transatlantique,* 46 A.L.R. 435; Annotation, 439,455

At the start of the case in the Circuit Court of the Montgomery County, Md. petitioner

Moved that the court remove the case, R (5) Pg. 6 (5), to the Trial Court due to pendency of same, federal questions, laws, treaties of the U.S.A. R(34,41,42,45). The Circuit Court of Montgomery County denied petitioner's all Motions.

k At the start of Appeal Proceedings in the State Court of Special Appeals of Maryland, petitioner once more filed a Motion for Removal of the case. That court also denied petitioner's Motion.

*Lawyer Fraud*

1. Lawyer fraud filed in the Circuit Court of Montgomery County, defrauded the court, misled the judge, that entered a "Summary Judgment" in favor of the Danish subject, putting petitioner and his child Tina on the street. R(47) Appendix "D"

m Same lawyer fraud above, defrauded alsc a panel of three (3) judges in the Court of Special Appeals of Maryland, affirming said judgment for Ex-Parte divorces, ongoing for 6 years in three Countries. . .violating the U.S. Constitution, the laws of Maryland.

The Danish divorce trials are arranged by phone calls, like Mexican decrees, duration of such trials are less than 3 months! . . .E 700, 701, 702, 262, 49. . .etc.

n Both State Courts were defrauded by law firm Staley, Prescott et al's Motion for a *"Summary Judgment"* in violation of Amend. 5, Amend. 9, Amend. 14, Due Process Clause of the Constitution.



o The Circuit Court of Montg. County, during the entire case held a single hearing (half an hour) for pending motions, to establish issues. *No other hearing took place.*

p The law firm Prescott, attached to his Motion, filed in the said court *"A Writ of Order for Granting a Summary Judgment."*

(1) The language of the writ was drafted such, as if a hearing on the Motion for the Summary Judgment, took place.

(2) The Writ further stated that, petitioner had appeared in such a Hearing. The entire scheme was fraud! No Hearing took place.

Judge Frosh of the Montgomery County by error and without review, signed the above Writ, putting petitioner's last home up for sale, without Due Process of Law. . .!

q Reason for above judgment was, a *false* Danish Civil High Court, certified, sealed document, E 530 that claimed, *no appeal* was filed by the petitioner. Petitioner appealed twice, second time, per Art. 16 of the Service Convention, copy sent to the Danish Consulate in Wash., D.C.!

r *The State Courts of Maryland and child custody,—U.S. child Sylva was removed from the State of Maryland,*—Best interest of children—

*Pugh* v. *Pugh,* 15 A.L.R. 2d 424, Annotation 432,435,436,457,461,463,

Both:

(1) The Circuit Court of Montgomery County

(2) The Court of Special Appeals of Maryland *denied* to confer jurisdiction over child Sylva, kidnapped from the State of Maryland, in violation of the laws of Maryland, the Int. Law, the Constitution.

C. *Activities engaged in, under color of the state law of Ohio* (unrelated matter, but filed with petitioner's bill of complaint) *Civil Rights, deprivation of property rights: E 433*

(1) In 1969 petitioner purchased his first family home in S. Euclid, Ohio, through the real estate agent Joseph Laronge, from owner Spilkas.

(2) At the final settlement petitioner found that owner Spilka removed from home items worth $1,000.00. The sales contract was scratched, without petitioner's knowledge, the State Savings and Loan, Mortgage Co. entered the sales agreement without objection. The home was sold to petitioner by fraud, without his consent.

(3) All of the petitioner's attempts, including legal were frozen, the Mayor of the city, sent the police to scare the petitioner, lawyers stayed distant, supression continued. Petitioner filed a suit in the State of Ohio while residing in Maryland, in 1970, petitioner paid lawyers in Maryland and Ohio, Lawyers dragged the case on for 3 long years. Petitioner's loss was tripled, the thief escaped justice, business got away with crimes. Purchase of home meant transfer of "Bundle of Rights," petitioner purchased bundle of crimes. . .!. .

D. *Activities engaged in under color of Federal, Constitutional and international Laws, Treaties:*

(1) On April 5, 1977 and June 3, 1977 with two



separate petitions, petitioner filed a complaint in the office of former Attorney General, U.S. Department of Justice, for U.S. governmental help, to prevent furtherance of Danish Conspiracy: 28 U.S.C.A. §1343. The petitions were sent by certified and registered mail, return receipt request and restricted delivery, to Mr. Griffin B. Bell of the United States. The Office of the Justice Department for the Attorney General, failed to return the postal receipts in violation of 39 U.S.C.A. §5001-5009, no action took place. Petitioner was deceived, children were deprived.

(2) Calling one year old petition, *"a recent letter,"* Assistant Attorney General of Civil Rights Division, Drew S. Days III, U.S. Department of Justice of the United States, in his letter dated March 29, 1978 stated that:

*"No Civil Rights violations took place"*

(3) In the past 7 years, the U.S. Embassy files in Copenhagen, Denmark are filled with 2 inch thick files, regarding deprivation of petitioner's life, liberty and property, concerning Danish and domestic crimes. The U.S. Ambassador John Gunther Dean with his letter addressed to Hon. Congressman George Danielson stated (3/29/1977) his lack of power in petitioner's matters, U.S. Consuls Patricia Clark, Dale W. Dover, Bruce A. Beardsley are, U.S. Government officers in charge, to protect U.S. lives abroad, under power of treaties, that caused lifelong injury to the petitioner and his innocent children, not to mention a dozen Congressmen and Senators, that pretended to seek a remedy. . .

(4) However former Congressman *Steers* collected signature of 30 other Congressmen to help, "*A Russian Zlotver*" to see his child in Israel, he wrote to Russian Brezhnev "*for humanitarian reasons*"!. . .The Jewish minority vote was attractive to mobilize Congressman *Steers* humanitarian feelings. . .

E. *Denial of child Tina's U.S. citizenship, living for 14 years in U.S.A., daughter of the petitioner, a naturalized citizen of U.S.A.*

*(1) Title 8 U.S.C.A.* §1503

(2) Immigration Naturalization Act Sect. 301

a) In the past two years the I.N.S. of Department of Justice Baltimore, Md. denied child Tina Artar her Constitutional Rights to become a U.S. citizen. Tina came to U.S.A. at age 2 and lived since 1964 in the United States.

b) Child Tina is by virtue of her father's former citizenship a Turkish citizen, petitioner was naturalized in 1976. Child Tina by virtue of her father's citizenship acquired U.S. citizenship at once.

*Peduzzi* v. *Brownell D.C.,* 113 F.Suppl.419

c) In the United States Nationality is predicated either on place of birth or Nationality of parents, in Turkey (Italy) nationality is predicated on nationality of parent.

*Acheson* v. *Naenza,* 202 F.2d 453,92 U.S. App. D.C. 85

The I.N.S. of U.S. Dept. of Justice violated child Tina's Civil and Constitutional Rights depriving her of U.S. citizenship.



d) Sect. 301 of the I.N. Act imposes sanctions to transmit citizenship from parent to child: This is true for citizen parent and Alien spouse. In such a case the citizen parent must have been physically present for ten years in the U.S.A. Petitioner is a U.S. citizen, he lived in the U.S.A. in the past 16 (sixteen) years.

## CONCLUSION:

### Denmark

A. The foreign Danish, Civil and Criminal, lower and High Court Proceedings, Trials were farce, mockery of Justice, a shocking Conscience of International Rules of Justice, with purported representation being only perfunctory and serving the purpose of the Danish Judiciary, assigned as Court appointed lawyers, per Danish Jurisdictional law Art. 449, or as private Counsel, hired by Petitioner as expert in International law, 13 in their No., in U.S. and abroad, acting in bad faith, a sham, a pretense, without being given proper time for preparation by Danish police, Danish Courts and in U.S. serving their pockets, using Petitioner, when life was at stake, result of which drove Petitioner to take the Cause of life in his own hands, with factual situations, reflected in more then SIX HUNDRED (600) EXHIBITS.

B. *In the United States:*

(1) In suits filed in the State of Mass.

(2) In the State of Ohio

(3) In the State of Maryland, not a single fair, impartial and public trial took place

(4) In suits filed in the Federal Trial Court

(5) In the U.S. Court of Appeals for the Fourth Circuit likewise not a single session of a trial took place and it was limited to internal correspondence.

No process was served upon any Defendant that violated petitioner's and his childrens' Civil Rights under Title 42 U.S.C.A. §1981,1983 in violation of Amendments One, Five, Nine, Thirteen,Fourteen of the U.S. Constitution and Art. IV, Cl. 1, Art. 6, Cl.2, Art. 3, Cl. 2 of the Constitution, making petitioner and his children virtually judicial slaves and hostage to Denmark, that by brutal force tortured his family, destroyed innocent lives and lives of other Americans at home and abroad in a manner described below. Proceedings in above courts were mockery of justice. . .

In the case of: *Screws* v. *United States,* 325 U.S. 91, 65 S.Ct. 1031

At 1062 (159) This Hon. Court Stated as Follows: "(3) The Department of Justice has established a policy of strict self-limitation with regard to prosecutions under the Civil Rights Act. Since 1939 Complaints received annually by the Civil Rights Act reached 14,000 but in no year the prosecutions exceeded 76, under both sections 19 & 20 . . . At (160). . .Complaints of violations are often submitted to the department by local law enforcement officials who for one reason or another may feel themselves POWERLESS to take action under state laws. . .

At 1063 This Court Continued. . ."We are told local authorities cannot be relied upon for courageous and prompt action, that often they have PERSONAL or POLITICAL reasons for refusing to prosecute. . ."



At 1053 (138) The Court Continued . . ."The significant question rather, is whether law enforcement officers and those entrusted with authority shall be allowed to violate with impunity the clear Constitutional Rights of the inarticulate and the friendless. Too often the unpopular minorities, such as negroes, are unable to find effective refuge from the cruelties of bigoted and ruthless authority. . ."

This opinion held by this Honorable Court describes properly, crimes committed against petitioner and his children, officers of the Federal Government acting even more ruthlessly than the ones the state level.

The petitioner is told that, he can not beat "the system". . .this is not the communist, nor the socialist, not nazi, not fascist system, but nameless, faceless system, in the God blessed United States.

A good example for U.S. Government and citizen relations is fairly described as follows:

> "The U.S. Government is an unseen concrete wall, where Government officials being immune and acting like heavy, forged, hammers, pound on the head of common nails, pictured as ordinary citizens,

Punching them against the concrete wall, until smashed, preventing cracks in the wall,"

In the case of:

*United States* v. *Lee,* 106 U.S. 196, 1 S.Ct. 240 This Hon. Court held as follows:

AT 240—

> "The evils which it is suggested may arise from interference of state or other courts

with the exercise of powers essential to government, are illusory, and are insignificant in comparison with the proposition that no reief can be granted when it is asserted that the United States has authorized the wrong.

Such suits, if commenced elsewhere, are by existing laws always removable into a court of the United States, in which injustice to the government will neither be presumed nor permitted.

AT 251 THE COURT CONTINUED AS FOLLOWS:

"Under our system the *people,* who are there called *subjects,* are the sovereign. Their rights, whether collective or individual, are not bound to give way to a sentiment of loyalty to the person of the monarch. The citizen here knows no person, however near to those in power, or however powerful himself, to whom he need yield the rights which the law secures to him when it is well administered."

Petitioner's cases at bar are clear proof that, human justice converted by founding fathers into the U.S. Constitution, is severely attacked by the unshaken authority of the U.S. Government, that power given by the people are used against the people of the U.S.A., that nearly two million Americans living abroad have to face foreign suppression and crimes: *Congressional Record No. 13, Vol. 126, E 300, 1/31/1980* where treaties ratified by Congress are violated by the government where courts regardless of the Constitution must side with the government, permitting operation of the International law, as face lifting device.



**IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY SITTING AS A COURT OF EQUITY**

**"AFFIDAVIT"**

**OF TINA ARTAR IN CUSTODY OF FATHER ARTIN ARTARIAN**

I Tina Artar, 16 years of age, being sound of mind, a junior in Magruder High School, in Rockville, Md., daughter and in legal custody of Artin Artarian, defendant, states to this court as follows:

1. The court judgment entered for sale of the home where I lived in the past 5 years, shall deprive my welfare, educational standing and future, due to forthcoming drastic change. This is to advise the court that, I do not wish to leave my home before I finish my highschool eduction.

2. The judgment of this court and or any other U.S. court entered before, including the Foreign Danish High Court judgment in Denmark deprived my visitation rights and prohibited:

   a. To see my mother Karen M. Artar
   b. To see my sister Sylva, a born citizen of United States, removed to Denmark from Maryland in 1973, that caused grave pain and injury to my person and life.

3. The United States Dept. of Justice for 2 years deprived my rights to become a naturalized citizen, despite the fact that I lived almost whole life in U.S.A.

No matter who is suing whom and what purpose, I strongly feel that, injustice and injury caused to me by deprivation of Familial Rights must be relieved by a Human Court of Justice, that separated me 6 long years. . .from my sister Sylva, as forgotten people.

Respectfully Submitted,

Tina Askan Artar
*(Tina Artar)*
C/O Artin Artarian
P.O. Box 602,Olney, Md. 20832

*Tina Artar*
2/29/80



**PETITION FOR A WRIT OF MANDAMUS**
**JURISDICTION: Rule 31 (3)**

28 U.S.C.A. §1361, 1651, 2241, 2242, and 2403)

1. This is an action under Federal Statute 28 U.S.C.A. §1361

2. This action arises from cases filed in the Trial Court File No.: B78-298 and B78-1790 that was supplemented with another Civil Rights action and "*equity*", filed in the same court, under case No.: 80-668

A. In Aug. 1973, Respondent Karen M. Artar fled the State of Maryland for Denmark while her actual intent was, domicile in the State of Mass. Respondent's above acts separated for 6 years two sisters from one another, as result of judicial relief denied by 4 U.S. and 3 Danish civil and criminal courts. U.S. child Sylva is removed and kept in Denmark.

B. All above judicial activities, denied petitioner and his children the familial rights, guaranteed under Amend. 9 and 14 of the U.S. Const. deprived Petitioner and children of rights of: life, liberty, and two (2) properties in two states, that were engaged in under "color of State, Federal, Constitutional and International Laws". All possible remedies are exhausted.

C. Mr. Drew S. Days III, Assistant Attorney General, Civil Rights Division has the duty of enforcing the civil rights violations under Federal Statute 42 U.S.C.A. §1981 and 1983.

D. The U.S. Consul in the U.S. Embassy Copenhagen, Denmark is the official U.S. governmental officier, to protect the rights of U.S. persons in Denmark under Vienna Convention Art. 5.

Petitioner prays return of child Sylva, by *order* of this court, home to United States, to join sister Tina, through officers named above.

ARTIN ARTARIAN
Petitioner Pro Se

RESULTS:

1. Petitioner Artin Artarian and his children have been deprived life, liberty and 3 properties in three (3) states, by three (3) state and three (3) Federal Courts in U.S.A., by two Civil and two Criminal Courts in Denmark for seven (7) years. Petitioner was put in Danish jail for crimes comitted on U.S. soil and by foreign Danish subject. The U.S. AND Danish courts set off the International Treaties, Human Rights, Civil Rights and denied Petitioner any principle of human justice:

2. Herewith Petitioner and child Tina became hostage in the United States; "*by order of the Government of Denmark*"

3. Child Sylva Arsho Artar, a born citizen of U.S.A., kidnapped from U.S.A. and state of Md. and kept by force in Denmark, became: hostage in Denmark: "*by order of the U.S. Government*"

4. This case at bar is a vital proof for supression of U.S. Rights at home and abroad, and reflects immediate threat and danger to two million Americans living or stationed abroad (Congressional report). Recent cases revealed that, there are no friendly nations, but nations with temporary and mutual interests.

A foreign country called Communist China for twenty years, was converted into "The Peoples Republic of China" and was declared most favored nation; friendly Iran became, enemy Iran!!!

U.S. Government is not permitted to violate the U.S. Constitution, by offering favors to Socialist Denmark, a known Human Rights violator, E 245, by putting faith, life, liberty and property of petitioner and two million Americans in Danish, Iranian and Chilean hands. . . .

The U.S. Government, that permitted filing of suit against Iran, by families of hostages, against Chile, by families of Letelier bombing victims, same U.S. Govt. can



not deny same rights to the Petitioner to sue Denmark, that tortured petitioner and his children for seven years, with apparent consent of the U.S. Government, such rights certainly can not be denied, where Denmark became an initial suitor (Equity: 64911), in the State Courts.

Harsh words do not mean that, Petitioner hates the U.S.A., on the contrary bound to the Constitution he is ready to die for the U.S.A., but first he will die as a free man and as a person born free, after seeing justice being accomplished, with the proud feeling that, he immigrated to the "democratic U.S.A." but not to Communist Russia, the Soviet Armenia, where his folk are kept hostage. . . .

The Supreme Court of the U.S.A., The Supreme Judicial power of the country, never bent its rules of justice to political opressions and even the U.S. Government an authority itself owe prime allegiance to the U.S. Constitution, the Supreme Law of the Land. Since further delays shall have devastating effects, Petitioner respectfully prays the Honorable Court; that;

1. Petitioner's petition for a Writ of Mandamus be granted, providing the immediate return of kidnapped U.S. child Sylva home to U.S.A. from Denmark.

2. All 7 lawsuits, initiated, or pending before State and Federal Courts be transferred and consolidated and be tried before a federal Grand Jury, that summons be issued upon Denmark for trial in rem or personam and all other defendants be served summons as fairness of justice may require, without prejudice to Petitioner and his children.

Respectfully Submitted,

ARTIN ARTARIAN
For Children:
Tina in U.S.A.
Sylva in Denmark
PETITIONER PRO SE

Dated: May 3, 1980
EXTENTION OF TIME:
Granted By Order of this
Court, dated March 20,
80 A-799

(APPENDICES FOLLOW)

Foreign laws, 140 Exhibits in Clerk's Custody

**PETITION**

**FOR CONSOLIDATION OF TWO WRITS OF CERTIORARIES**

In a last minute effort The Court of Appeals of Maryland issued its Final Order against the Petitioner. The Order is dated April 21, 1980 and is submitted to the Court as Appendix "E".

Petitioner Moves that, State & Federal Court Certioraries be consolidated

ARTIN ARTARIAN

PETITIONER PRO SE

# APPENDIX

# APPENDIX A

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 79-1181

Artin Artarian, *Appellant,*

v.

Karen Marie Artar; the Government of Denmark representing K. M. Artar and the law firm Greenbaum and Oshana, *Appellees.*

No. 79-1230

Artin Artarian, for child Sylva, *Appellant,*

v.

United States Government, *Appellee.*

**Appeals from the United States District Court for the District of Maryland, at Baltimore. C. Stanley Blair, District Judge.**

Submitted: July 5, 1979. Decided: November 29, 1979

Before RUSSELL, WIDENER and HALL, Circuit Judges.

Artin Artarian, Appellant *Pro Se*: E. Dale Adkins, III, for appellee Greenbaum & Oshana in No. 79-1181; Russell T. Baker, Jr., United States Attorney, and John A. MacColl, Assistant United States Attorney, for appellee in No. 79-1230.

PER CURIAM:

These are two actions brought by Artarian to obtain judicial review over a final child custody decree issued by a family court in Denmark. In addition to a direct claim against the Danish Government, the appellant in No. 79-1181 asserts claims against both his former spouse and a Massachusett's law firm. The appellant, on behalf of his minor daughter, has instituted suit against the United States government in No. 79-1230. The appeals have been consolidated.

The district court concluded that it lacked subject matter jurisdiction over the claims against the Danish and United States governments and that it lacked personal jurisdiction as to the law firm and the appellant's former spouse. A review of the district court's opinions discloses that these appeals are without merit. Because the dispositive issues recently have been decided authoritatively, we dispense with oral argument and affirm the judgments below on the reasoning of the district court. *Artarian* v. *The Government of Denmark, et. al.*, C/A No. B-78-298 (D.Md. July 18, 1978), as amended January 9, 1979, January 10, 1979; *Artarian* v. *United States Government,* C/A No. B-78-1790 (D.Md. February 22, 1979).

AFFIRMED



## APPENDIX B

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 79-1181

Artin Artarian, *Appellant,*

v.

Karen Marie Artar *et. al., Appellees.*

No. 79-1230

Artin Artarian, for child Sylva, *Appellant,*

v.

United States Government, *Appellee.*

### ORDER

Upon consideration of the appellant's petition for rehearing, by counsel,

IT IS ORDERED that the petition for rehearing is DENIED.

Entered at the direction of Judge Russell for a panel consisting of Judge Widner, Judge Hall.

For the Court,
*/s/ William K. Slate, II*
CLERK

FILED

January 11, 1980

William K. Slate, II
Clerk

## APPENDIX C

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 79-1181

FILED JAN 28, 1980

U.S. Court of Appeals Fourth Circuit

Artin Artarian, *Appellant,*

v.

Karen Marie Artar, *et. al., Appellees.*

79-1230

Artin Artarian, for child Sylva, *Appellant,*

v.

United States Government, *Appellee.*

**ORDER**

Upon consideration of the appellant's motion for Certification of Question of Law to the Supreme Court of Maryland,

IT IS ORDERED that the motion is DENIED.

Entered at the direction of Judge Russell with the concurrence of Judge Widener and Judge Hall.

For the Court
/s/ *William K. Slate, II*
CLERK



## APPENDIX D

IN THE CIRCUIT COURT FOR
MONTGOMERY COUNTY, MARYLAND
Sitting as a Court of Equity

KAREN MARIE ARTAR: R 47
Plaintiff:
vs.: Equity No. 64911
ARTIN ARTAR:
Defendant:

ORDER

Plaintiff's Motion for Summary Judgment on her Bill of Complaint for Partition Between Tenants In Common having come on for hearing, having been read by the Court, and counsel having been heard,*** it is this 17th day of July, 1979,

ORDERED, by the Court:

1. Summary Judgment is hereby entered in favor of Plaintiff, Karen Marie Artar;

2. And that a Trustee or Trustees be appointed to make a sale of said premises in lieu of partition thereof.

*Stanley B. Frosh*
*Judge;* Circuit Court for
Montgomery County,
Maryland
Sitting as a Court of Equity

PETITIONERS NOTE
***Attorney Fraud
No Hearing Took Place!

Filed July 18, 1979

## APPENDIX E

IN THE COURT OF APPEALS OF MARYLAND

September Term, 1980

Petition Docket No. 61

(No. 1006, September Term, 1979 Court of Special Appeals)

ARTIN ARTARIAN

v.

KAREN MARIE ARTAR

## ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition be, and it is hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ROBERT C. MURPHY
*Chief Judge*

April 21, 1980.



## CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of May, 1980, I served the within *Petition for Writ of Certiorari* on the interested parties in said action, by placing 3 true copies in each and sealed envelope, with postage thereon fully prepaid and by certified mail, in the United States Mail at Olney, Maryland 20832, that included also:

Solicitor General
Department of Justice
Washington, D.C. 20530

I Certify under penalty of perjury that the foregoing is true and correct.

Executed on May 6, 1980 at Olney, Maryland

*Artin Artarian*
ARTIN ARTARIAN